



Brian W. Carroll
Partner
T. 973-639-2020
F. 973-297-3713
bcarroll@McCarter.com

McCarter & English, LLP
Four Gateway Center
100 Mulberry Street
Newark, NJ 07102-4056
www.mccarter.com

June 4, 2024

VIA ECF

Honorable Brian R. Martinotti, U.S.D.J.
United States District Court
District of New Jersey
Frank Lautenberg Post Office & U.S. Courthouse
2 Federal Plaza, 3rd Floor
Newark, New Jersey 07102

Re: *In re Insulin Pricing Litigation*
Case No. 2:23-md-3080 (BRM/RLS)

Dear Judge Martinotti:

As directed by the Court during the Case Management Conference held on May 14, 2024, counsel for the Manufacturer Defendants and the State of Mississippi have conferred and agreed upon the following briefing schedule with respect to the Manufacturer Defendants' forthcoming motion for partial judgment on the pleadings under Federal Rule of Civil Procedure 12(c) in *The State of Mississippi, ex rel. Lynn Fitch, Attorney General v. Eli Lilly and Company, et al.*, Case No. 2:23-cv-04364 and the State of Mississippi's opposition to that motion:

- Manufacturer Defendants' moving brief shall be filed on or before **June 7, 2024**.
- The State of Mississippi's opposition brief shall be filed or before **July 23, 2024**.

The parties have further agreed that all briefs filed in connection with the Manufacturer Defendants' Rule 12(c) motion shall conform to the page limitations set forth in Local Civil Rule 7.2.¹

If the foregoing is acceptable to the Court, the parties respectfully request that Your Honor endorse this letter as "So Ordered." We thank the Court for its continued attention to this matter.

Respectfully submitted,

/s/ Brian W. Carroll

Brian W. Carroll
McCARTER & ENGLISH, LLP
Four Gateway Center
100 Mulberry Street
Newark, New Jersey 07102
(973) 639-2020

¹ The parties will meet and confer on a deadline for the Manufacturer Defendants' reply brief after the State of Mississippi files its opposition.

June 4, 2024

Page 2

James P. Rouhandeh (*pro hac vice*)
David B. Toscano (*pro hac vice*)
DAVIS POLK & WARDWELL LLP
450 Lexington Avenue
New York, New York 10017
(212) 450-4000

Neal A. Potischman (*pro hac vice*)
Andrew Yaphe (*pro hac vice*)
DAVIS POLK & WARDWELL LLP
1600 El Camino Real
Menlo Park, California 94025
(650) 752-2000
Attorneys for Defendant Novo Nordisk Inc.

SO ORDERED this 5 day of June 2024:



HON. BRIAN R. MARTINOTTI, U.S.D.J.